

1 BILL NO. S-80-05- 22

2 SPECIAL ORDINANCE NO. S- 63-80

3
4 AN ORDINANCE approving a contract between
5 the City of Fort Wayne and International
6 Harvester Company for Fire protection to
7 premises outside the City.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
9 INDIANA:

10 SECTION 1. That the contract, dated March 26, 1980, between the
11 City of Fort Wayne, by and through its Mayor and Board of Public Safety,
12 and International Harvester Company for the furnishing of fire protection
13 by the Fort Wayne Fire Department to premises of International Harvester
14 Corporation outside the city limits, described as follows, to-wit:

15 All buildings and improvements of IHC located in an
16 area bounded by New Haven Avenue on the North; Meyer
17 Road on the East; Penn Central RR Tracks on the South
18 and Coliseum Boulevard on the West (including the
19 buildings facing on Pontiac Street Extended, and also
20 including the Endee Warehouse building located on the
21 SE corner of the above area, which said area is visually
22 shown outlines in red on Exhibit "A" attached hereto
23 and made a part hereof.

24 At a cost to International Harvester Corporation of \$53,676.80, all as
25 more particularly set forth in said contract which is on file in the
26 Office of the Board of Public Safety and is by reference incorporated
27 herein and made a part hereof, is hereby in all things ratified, con-
28 firmed and approved.

29 SECTION 2. The proceeds of such contract received by the City
30 shall be deposited in the City "Fire Fighting Fund" pursuant to I.C.
31 18-6-8-2.

32 SECTION 3. This Ordinance shall be effective upon its passage
and approval by the Mayor.

33
34 
COUNCILMEMBER

35 APPROVED AS TO FORM AND
36 LEGALITY MAY 23, 1980.

37 
38 JOHN E. HOFFMAN
39 City Attorney

Read the first time in full and on motion by Stier, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, the _____ day of _____, at _____ o'clock _____ M., E.S.T.

DATE: 5-27-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Stier, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>yes</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>yes</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>yes</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>yes</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>yes</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>yes</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>yes</u>	_____	_____	_____	_____
<u>STIER</u>	<u>yes</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>yes</u>	_____	_____	_____	_____

DATE: 6-24-80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK /me

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (APPROPRIATION) ORDINANCE (RESOLUTION) No. S-63-80 on the 24th day of June, 19 80.

ATTEST:

(SEAL)

Charles W. Westerman

Thirion G. Schmidt

CHARLES W. WESTERMAN - CITY CLERK

/me PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of June, 19 80, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman

CHARLES W. WESTERMAN - CITY CLERK /me

Approved and signed by me this and day of July 19 80, at the hour of 4 o'clock P. M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. 5-80-05-22

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN
ORDINANCE approving a contract between the City of Fort Wayne
and International Harvester Company for Fire protection to
premises outside the City

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

JAMES S. STIER, CHAIRMAN

MARK GIAQUINTA, VICE CHAIRMAN

BEN EISBART

PAUL M. BURNS

DONALD J. SCHMIDT

6-24-80
DATE

CONCURRED IN

CHARLES W. WESTERMAN, CITY CLERK re

FIRE PROTECTION CONTRACT

~~_____~~
This contract is entered into in duplicate this 26th day of March, 1980, between the CITY OF FORT WAYNE, Indiana, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and INTERNATIONAL HARVESTER COMPANY, a corporation having a place of business in Adams Township, Allen County, Indiana ("IHC").

WHEREAS, IHC is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of IHC located in an area bounded by New Haven Avenue on the North; Meyer Road on the East; Penn Central RR Tracks on the South and Coliseum Boulevard on the West (including the buildings facing on Pontiac Street Extended, and also including the Endee Warehouse building located on the SE corner of the above area, which said area is visually shown outlined in red on Exhibit "A" attached hereto and made a part hereof.

The said buildings and improvements, which are collectively referred to as "the premises" hereafter in this contract, are reflected for tax purposes upon the assessed value of \$3,725,900, \$4,131,400 and \$413,400 issued by the Adams Township Assessor's Office.

and, WHEREAS, IHC desires to be assured that fire protection by CITY is available at the premises above described:

NOW, THEREFORE, the parties agree as follows:

1. From March 26, 1980 until March 25, 1981, upon the receipt by CITY'S Fire Department of a notification or signal that there is a fire on the premises above-described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably sends to other similar locations within the corporate limits of CITY.

2. For firefighting services provided for herein, IHC shall pay to CITY the sum of One and One Hundred Eighty Four Ten Thousandths Dollars (\$1.0184) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements herein above identified as the premises. The improvement hereinabove identified having an assessed valuation of \$5,270,700, the sum

owing under this contract is \$53,676.80. Said sum shall be payable as follows: \$26,838.40 upon execution of this contract and the balance on or before September 26, 1980.

3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect IHC buildings, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and IHC operations on the premises, so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention.

4. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and Clerk of CITY, and the members of the Board of Commissioners, Department of Public Safety of CITY, and ratified and approved by the Common Council of CITY.

IN WITNESS WHEREOF, this agreement has been duly authorized and executed as of the date first above written by the duly authorized officers and representatives of the parties.

INTERNATIONAL HARVESTER COMPANY

By R. E. Schmidt
R. E. Schmidt
Plant Manager

ATTEST:

M. J. Hebe
Plant Comptroller

CITY OF FORT WAYNE, INDIANA

By Winfield C. Moses, Jr.
Winfield C. Moses, Mayor

BOARD OF COMMISSIONERS,
DEPARTMENT OF PUBLIC SAFETY

By Betty M. Stein
Betty M. Stein, Chairman

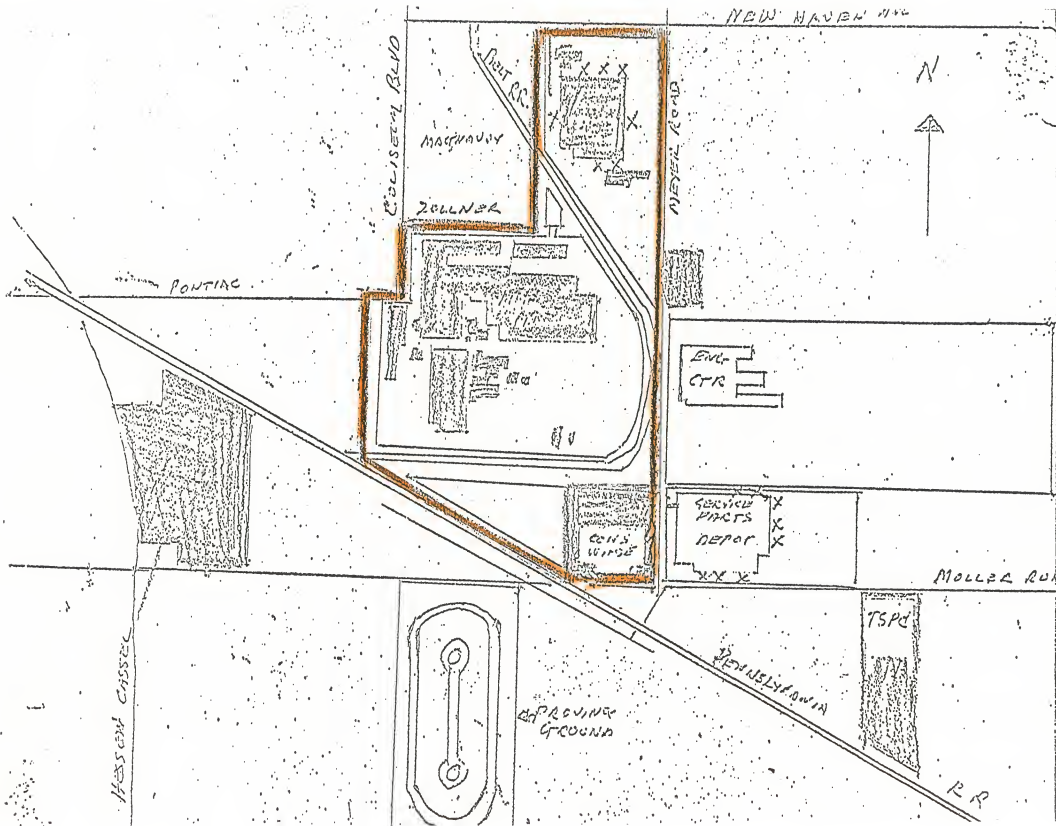
By Helen J. Brown
Helen J. Brown, Member

By William H. White
William H. White, Member

I hereby certify that the foregoing contract was ratified and
approved by the Common Council of the City of Fort Wayne, Indiana
on 6-24, 1980.

Charles W. Westerman
Charles W. Westerman, Clerk

APPROVED AS TO
FORM & LEGALITY
John S. Hoffman
City Attorney
John S. Hoffman



Admn. Appr. _____

DIGEST SHEET

1-80-05-22

TITLE OF ORDINANCE _____ Outside the City Limits Fire Contract

DEPARTMENT REQUESTING ORDINANCE _____ Board of Public Safety

SYNOPSIS OF ORDINANCE _____ This would allow the City of Fort Wayne to provide
_____ fire protection for International Harvester Company. They, in turn, will pay
_____ the City, \$53,676.80, which is used to purchase fire equipment.

EFFECT OF PASSAGE _____ The Fort Wayne Fire Department will receive \$53,676.80

EFFECT OF NON-PASSAGE _____ The Fort Wayne Fire Department will lose \$53,676.80

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____ none

ASSIGNED TO COMMITTEE (J.N.) _____

DATE SUBMITTED: _____